

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:21CR175
	)	
vs.	)	
	)	
ELMER RENE HERNANDEZ and	)	ORDER
KENNETH G. FLOWERS,	)	
	)	
Defendants.	)	
	)	
	)	
	)	

This matter is before the court on defendant Elmer Rene Hernandez's unopposed Motion to Continue Trial [78]. Counsel requires additional time to complete plea negotiations. The court has been advised that the co-defendant has no objection to the request for continuance. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [78] is granted, as follows:

1. The jury trial, **for both defendants**, now set for August 16, 2022, is continued to **September 27, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and September 27, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED: August 3, 2022**

**BY THE COURT:**

**s/ Susan M. Bazis**  
**United States Magistrate Judge**